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RCE/1700

PTO/SB/30 (08-03)

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REQUEST
FOR
CONTINUED EXAMINATION (RCE)
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| | |
|------------------------|--------------------------|
| Application Number | 09/762,572 |
| Filing Date | February 8, 2001 |
| First Named Inventor | Angela Speith-Herfurth |
| Art Unit | 1773 |
| Examiner Name | Donald Lawrence Tarazano |
| Attorney Docket Number | 46613-00008 |

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other petition for extension of time, postcard

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1061
- i. ☒ RCE fee required under 37 CFR 1.17(e) 12/22/2003 SZEWDIE1 00000019 09762572
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 OP
- iii. ☒ Other TERMINAL DISCLAIMER
- b. ☒ Check in the amount of \$ 880.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Thomas T. Moga

Registration No. (Attorney / Agent)

34,881

Signature

Date

December 16, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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Signature

Date

December 16, 2003

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)Applicant(s): **Angela Speith-Herfurth et al.**

Docket No.

46613-00008

Serial No.

09/762,572

Filing Date

February 8, 2001

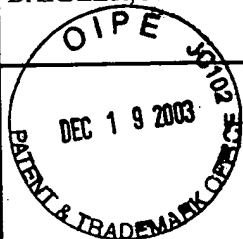
Examiner

Donald Lawrence Tarazano

Group Art Unit

1773

Invention: **MULTI-LAYER BIAXIALLY ORIENTED POLYPROPYLENE FILM HAVING AN IMPROVED BARRIER, A METHOD FOR THE PRODUCTION THEREOF, AND THE USE THEREOF**



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(Person mailing correspondence)

(Signature of person mailing correspondence)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/762,572
Applicant(s): Angela Speith-Herfurth *et al.*
Filed: February 8, 2001
TC/A.U.: 1773
Examiner: Donald Lawrence Tarazano

Confirmation No. 5054

Docket No.: 46613-00008
Customer No.: 29381

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PRELIMINARY AMENDMENT

Sir:

The present Preliminary Amendment is in response to the Advisory Action October 8, 2003, and is in further response to the Office Action of June 16, 2003. Applicants submitted a Notice of Appeal with their amendment of September 16, 2003, thus extending the time for response to November 16, 2003. A one-month extension fee is submitted herewith, together with a request for an RCE, thus these actions are made in a timely manner. Applicants request that the present application be amended preliminary to substantive examination according to the following changes.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.